United Nations A/51/PV.102

General Assembly
Fifty-first Session

Official Records

102nd plenary meeting
Tuesday, 17 June 1997, 10 a.m.
New York

President: Mr. Razali ..... (Malaysia)

The meeting was called to order at 10.15 a.m.

Agenda item 8 (*continued*)

Adoption of the agenda of the fifty-first regular session of the General Assembly, allocation of items and organization of work

Sixth report of the General Committee (A/51/250/Add.5)

The President: This morning, I first draw the attention of representatives to the sixth report of the General Committee (document A/51/250/Add.5), concerning a request by the Secretary-General for the inclusion in the agenda of an additional item entitled "United Nations reform: measures and proposals".

In paragraph 2 of the report, the General Committee decided to recommend to the General Assembly that the item entitled "United Nations reform: measures and proposals" should be included in the agenda of the current session.

May I take it that the General Assembly decides to include in the agenda of the current session this additional item?

It was so decided.

The President: The General Committee further decided to recommend to the General Assembly that the additional item, which is now agenda item 168, should be considered directly in plenary meeting.

May I take it that the General Assembly decides to consider this item directly in plenary meeting?

It was so decided.

Agenda item 97 (*continued*)

Environment and sustainable development

(a) Implementation of the decisions and recommendations of the United Nations Conference on Environment and Development

Draft resolution (A/51/L.74)

The President: Members will recall that, at its 99th plenary meeting on 21 May 1997, the Assembly decided to reopen the consideration of sub-item (a) of agenda item 97 and to consider it directly in plenary meeting. In this connection, the Assembly has before it a draft resolution issued as document A/51/L.74.

I give the floor to the representative of Sweden to introduce draft resolution A/51/L.74.

Mr. Odevall (Sweden): On behalf of the Chairman of the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification in Those Countries Experiencing Serious

97-85685 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Drought and/or Desertification, Particularly in Africa, I have the honour to introduce the draft resolution "Use of the Special Voluntary Fund and the Trust Fund", contained in document A/51/L.74.

The draft resolution was negotiated and agreed by the Intergovernmental Negotiating Committee at its tenth session, in January this year. This decision was recommended by the Committee for adoption by the General Assembly and is contained in report A/52/82.

The draft resolution before the Assembly decides that the Special Voluntary Fund established pursuant to General Assembly resolution 47/188 may be used by the head of the interim secretariat to assist developing countries affected by desertification and drought to participate in the first conference of the parties to the Convention.

Furthermore, the draft resolution decides that the interim secretariat, which administers the Trust Fund established pursuant to General Assembly resolution 47/188, shall have the responsibility of using the Fund to support the participation of representatives of non-governmental organizations in the first conference of parties, in October 1997.

I hope that the Assembly can adopt this procedural draft resolution.

The President: The Assembly will now take a decision on draft resolution A/51/L.74, entitled "Use of the Special Voluntary Fund and the Trust Fund". May I take it that the Assembly decides to adopt draft resolution A/51/L.74?

Draft resolution A/51/L.74 was adopted (resolution 51/238).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 97?

It was so decided.

Agenda item 110 (*continued*)

Human rights questions

Note by the Secretary-General (A/51/924)

The President: The Assembly will now consider the matter of the appointment of the High Commissioner for Human Rights.

Members will recall that, by its decision 48/321 of 14 February 1994, the General Assembly, pursuant to its resolution 48/141 of 20 December 1993, approved the appointment of Mr. José Ayala Lasso of Ecuador as United Nations High Commissioner for Human Rights for a four-year term of office beginning on 28 February 1994.

By a letter dated 20 February 1997, Mr. Ayala Lasso informed the Secretary-General of his decision to resign as High Commissioner effective 15 March 1997. In this connection, the Assembly has before it a note by the Secretary-General issued as document A/51/924.

Mr. Sáenz Biolley (Costa Rica) (*interpretation from Spanish*): I wish to refer to document A/51/924, "Human rights questions: Approval of the appointment of the High Commissioner for Human Rights", under agenda item 110, "Human rights questions", as contained in the note by the Secretary-General that has been distributed to us.

Reference is made in this document to General Assembly resolution 48/141 of 20 December 1993, by which the post of United Nations High Commissioner for Human Rights was created. Paragraph 1 (a) of the note describes the qualities of the person to assume that position, which include high moral standing and personal integrity; expertise, including in the field of human rights; and the general knowledge and understanding of diverse cultures necessary for impartial, objective, non-selective and effective performance of the duties of the High Commissioner.

Paragraph 1 (b) then indicates that the High Commissioner shall be appointed by the Secretary-General of the United Nations and approved by the General Assembly, with due regard to geographical rotation, and have a fixed term of four years with a possibility of one renewal for another fixed term of four years.

In this context, Costa Rica is extremely surprised that, in the case before us, geographical rotation has not been taken duly into account, particularly in the case of the candidate proposed by my country, Ambassador Sonia Picado, and endorsed by the Group of Latin American and Caribbean States. This is so not only because of the merits of the candidate, a recipient of a United Nations human rights award in 1993, but also because the Latin American and Caribbean region has been proposing since 1952 — at that time through the delegation of Uruguay — the establishment of the post of United Nation High Commissioner for Human Rights. Subsequently, my country in 1964 proposed the establishment of the post of High Commissioner for Human Rights. This initiative was put on hold for almost 30 years, until the Latin American and Caribbean regional preparatory conference — which happened to be held in San José, the capital of my country, at the initiative of the Government of Costa Rica — for the Vienna World Conference on Human Rights adopted a recommendation addressed to the Vienna Conference requesting it to recommend to the General Assembly, as a matter of high priority, the creation of the post of High Commissioner.

As members are aware, the General Assembly adopted resolution 48/141, entitled "High Commissioner for the promotion and protection of all human rights". On that basis, a successful working group was established under the wise leadership of the then Permanent Representative of the Republic of Ecuador, Ambassador José Ayala Lasso. That group defined and made recommendations on the legal, conceptual and institutional framework for the work of the High Commissioner.

It was with great pleasure and in recognition of the skills of Ambassador José Ayala Lasso of Ecuador that we welcomed his appointment by the Secretary-General to discharge that mandate. Nonetheless, for reasons that are known to all, he did not conclude even the first of the two terms of office that, in accordance with the resolution, it was foreseeable that he would hold.

Moreover, it has to be said that the actual presence of such an important region of the world as Latin America and the Caribbean at the highest levels of the United Nations is not commensurate with the geographical balance that constitutes the very essence of the Organization. Furthermore, on the subject of human rights, our countries have also gone through a difficult and often painful process in their transition to democracy and in the quest for fundamental human rights, a process that resulted in sad and tragic episodes but also taught valuable lessons that can and should be shared with other parts of the world.

We have also maintained that the fact that Costa Rica was for almost 30 years the proponent and defender of the post of High Commissioner for Human Rights — until this effort bore fruit in 1993 — conferred special significance on a candidate from a country that has become the symbol of an institutional life and a foreign policy that are imbued with a commitment to human rights.

That is why we are deeply surprised at the recommendation made by the Secretary-General in the note we have before us. This decision disregards my country's background in this respect. It does not take into account the merits of the Costa Rican candidate; it disregards the principles of rotation and balance in geographical representation; it ignores the endorsement of the Group of Latin American and Caribbean States; and it does not take into consideration the well-thought-out position of the Non-Aligned Movement and of the Group of 77 and China.

This is of particular concern in the context of the reform of the United Nations, and we would not wish to suppose this to be a sign of a future line of action that would aim to shift the developing countries away from posts of high importance in the system.

We recognize that the Secretary-General has the authority to appoint the person that he wishes, and he has proposed Her Excellency Mrs. Mary Robinson, the President of Ireland, as United Nations High Commissioner for Human Rights for a four-year period, not just to complete the term of office of Ambassador Ayala Lasso. The fact that we recognize the merits of the President of the Republic of Ireland does not prevent us from expressing our complete disagreement with the fact that due account was not taken of geographical representation and that an opportunity was denied to a candidate who also has outstanding qualities, which are widely recognized, to continue the mandate of the initial High Commissioner, who came from a Latin American State.

In any event, my country believes that although this is not the best or most appropriate of circumstances, we must thank the fraternal countries of Latin America and the Caribbean for their support, as well as the Non-Aligned Movement and the Group of 77 and China for their position.

In view of the considerations relating to this nomination, my delegation felt it necessary to put forward these comments so that they could be placed on record for this meeting of the General Assembly on agenda item 110, on the approval of the appointment of the nomination of the High Commissioner for Human Rights proposed by the Secretary-General.

Finally, in these circumstances my delegation will not participate in the decision to be taken in the Assembly on the proposal by the Secretary-General.

The President: In his note, the Secretary-General, in the light of the provisions of resolution 48/141, proposes to appoint Mrs. Mary Robinson of Ireland as High Commissioner for Human Rights for a four-year term of office. When the effective date of the appointment has been agreed upon, the Secretary-General will inform the General Assembly accordingly.

On this understanding, may I take it that it is the wish of the General Assembly to approve this appointment?

It was so decided.

The President: I give the floor to the representative of Ireland.

Mr. Campbell (Ireland): On behalf of Mary Robinson, President of Ireland, and on behalf of the Irish Government and people, I should like simply to thank the Assembly warmly for its approval of the Secretary-General's nomination.

Mrs. Robinson will work to serve the high trust that the Assembly has placed in her.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 110.

Reports of the Fifth Committee

The President: The General Assembly will now consider the reports of the Fifth Committee on sub-item (a) of agenda item 140.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote or position.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records. May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I also remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Fifth Committee, unless notified otherwise.

Agenda item 140 *(continued)*

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

(a) Financing of the United Nations peacekeeping operations

Reports of the Fifth Committee (Parts II and III) (A/51/753/Add.1 and 2)

The President: The Assembly will first turn to document A/51/753/Addendum 1.

The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 8 of part II of its report.

The Fifth Committee adopted the draft resolution, entitled "Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations", without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/218 E).

The President: The Assembly will next turn to document A/51/753/Addendum 2.

The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of part III of its report.

The Fifth Committee adopted the draft resolution, entitled "Support account for peacekeeping operations", without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 51/239).

The President: We have concluded this stage of our consideration of sub-item (a) of agenda item 140.

The meeting rose at 10.40 a.m.